

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12454 of 1997

ORAL ORDER:

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This writ petition is filed seeking a Mandamus declaring the action of the respondents in not regularizing the services of the petitioner with effect from the date of his initial appointment i.e. 24.5.1984 as arbitrary and illegal and consequently direct the respondents to regularize the services of the petitioner as Conductor with effect from 24.5.1984.

It appears, the name of the petitioner was sponsored through the Employment Exchange for recruitment to the post of Conductor. After subjecting to selection process, petitioner was appointed as Conductor with effect from 24.5.1984 and posted at Asifabad Depot. Thereafter, he was transferred to Huzurabad Depot. Further, in the month of August, 1985, he was prevented from performing his duties, therefore, he filed W.P.No.10859 of 1985 and in view of the interim order of this Court, he was continued during the pendency of that writ petition. Ultimately, the said writ petition was disposed of on 26.9.1988 holding the impugned order therein in preventing the petitioner from attending duties was bad since no notice was given to the petitioner before passing such an order. Thereafter the petitioner was transferred from Karimnagar-II Depot and further transferred to Bhainsa Depot, Adilabad district. The grievance of the petitioner is that he is entitled for regularization as he has worked for more than 13 years.

There is no necessity of going into all the details. It appears, during the pendency of writ petition, the services of the petitioner were regularized as Conductor with effect from 29.2.1992. It appears, the Regional Manager, Karimnagar Region addressed a letter to the Personnel Officer, Adilabad on 30.1.1999 stating that the entire case of the petitioner has been examined and it is understood that the petitioner was already regularized and appointed with probationary rights with effect from 28.8.1985 vide Office Order dated 28.8.1985 and these orders were not implemented in view of his involvement in cash and ticket irregularities on 18.8.1985 which resulted in termination of

his services with effect from 28.8.1985. Since the termination orders were stayed by this Court in W.P.M.P.No.14984 of 1985 in W.P.No.10859 of 1985 and subsequently confirmed, the appointment order dated 28.8.1985 stands good. The Deputy Chief Traffic Manager, Karimnagar having perused the case advised to appoint the petitioner with probationary rights with effect from 28.8.1985. The contention of the petitioner to appoint him on regular basis with effect from 24.5.1984 may not be agreed as his batchmates in Karimnagar region were regularized and appointed with probationary rights with effect from 28.8.1985 only.

In view of the above, nothing survives in the writ petition for adjudication. The writ petition is therefore closed. The respondents are directed to implement the letter issued by the Regional Manager, Karimnagar dated 30.1.1999 for the purpose of regularization of petitioner's services with effect from 28.8.1985 if not already implemented. No order as to costs.

C.V.RAMULU, J

Date: 29.3.2007

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29.3.2007

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12454 of 1997

Date: 29th March, 2007

Between:

B.Shankar

.. Petitioner

And

The Vice Chairman and Managing Director,
APSRTC, Musheerabad, Hyderabad & another.

.. Respondents

